other references do not disclose, teach, or suggest this aspect of the present invention. There is no cited support in any of the references for concluding that the claimed invention would be obvious in view of the fact that regeneration is known. In fact, Chraplyvy and the other cited references evidence the problem and teach away from the present invention with their proposed solutions, as described in the cited sections of the references. The fact that Chraplyvy discusses regeneration without disclosing, teaching, or suggesting this aspect of the present invention actually highlights the fact that the present invention is not obvious in view of the cited references.

Chraplyvy, like Taylor, describes systems having different bit rates that do not effectively use the transmission capacity of the system, because these systems regenerate all of the signals at the same point, irrespective of the bit rate, signal power, and destination of the signals. The present invention addresses the efficiency problems of Chraplyvy, Taylor, and prior art by providing a system in which the different bit rate signals are transmitted over different distances to different locations within a network. These claimed features are admittedly not present in the Chraplyvy, Taylor, and the other cited references. As such, claims 1, 3, 11, and 12 are not obvious in view of Chraplyvy.

With further regard to claim 3, Chraplyvy does not disclose a continuous optical path in Figure 1 (130) as suggested by the Action. Figure 1 shows a WDM system that is optically terminated at both ends by transmitters (101, 111, 121) and receivers (105, 115, 125), respectively. Therefore, it is not a continuous optical path as described in the present invention. The optical fiber 130 merely connects the two terminations of the optical path and is clearly not, nor does it even suggest, a continuous optical path as described in claim 3 and the specification.

Taylor and Mizrahi fail to cure the shortcomings of Chraplyvy for the reasons described in the prior response. For example, Taylor suggests using inverse multiplexer to enable all channels to be at the same bit rate, not as set forth in the claimed invention.

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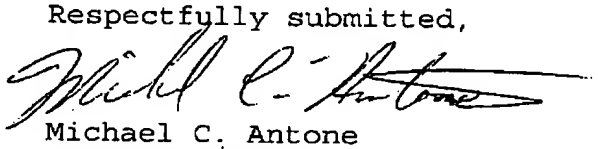
Also, in Section 5, it is suggested that Taylor and Mizrahi teach combining channels carrying only communication information with channels carrying communication and system information. The Action suggests that different signals are taught by Taylor; however, this is contrary to the apparent purpose of Taylor to make all of the signal the same and not taught by Taylor. As such, these references, either alone or in combination, fall short of rendering the claimed invention obvious.

Applicants respectfully request that the rejections be withdrawn and the claims be passed to allowance. Applicants believe that no additional fees are due with this response. However, the Commissioner is authorized to charge any fees, including those under 37 CFR 1.16 and 1.17, necessitated by this amendment and credit any overpayments to Deposit Account No. 500477.

Respectfully submitted,



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